

Klee Dienes
December 18, 2019

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1 UNITED STATES DISTRICT COURT

2 EASTERN DISTRICT OF VIRGINIA

3 (Alexandria Division)

4 -----x

5 HADRON INDUSTRIES, INC., et al.,:

6 Plaintiffs, :

7 v. : Case No.:

8 TRIANGLE EXPERIENCE GROUP, : 1:19-cv-00035

9 INC., et al., : -LO-MSN

10 Defendants. :

11 -----x

12

13 Deposition of HADRON INDUSTRIES, INC.

14 By and through its Corporate Designee

15 KLEE DIENES

16 Arlington, Virginia

17 Wednesday, December 18, 2019

18 9:03 a.m.

19

20 Job No.: 277632

21 Pages: 1 - 400

22 Reported by: Judith E. Bellinger, RPR, CRR

23

24

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1 (AAI Exhibit 1 previously marked for
2 identification and attached to the transcript.)

3 A (The witness complies.)

4 Q These are Hadron's answers to AAI's
5 interrogatories, and I'm specifically going to ask
6 you to turn to the answer to Interrogatory No. 6,
7 which begins on page 5, and asks Hadron to
8 identify oral communications between Hadron
9 related to the -- what Hadron is calling the
10 end-of-year contract, and then if you turn to
11 page 8, which is a continuation of that same
12 answer, sir.

13 A Yes. I see the --

14 Q Look at paragraph 31. It says, "On
15 July 1st, 2014, Clare informs Dienes by phone that
16 A2I selected the PAR/AAI team for the EOY
17 contract. Dienes was in Virginia during this
18 phone call."

19 Do you see that there?

20 A I do.

21 Q Is it July 1st when you learned of this
22 information from Mr. Clare?

23 A Apparently so, yes.

24 Q Okay. And July 1st, do you have an
25 understanding, was before the contract had

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1 read it to you, and I'm happy to show you the
2 Complaint. In fact, let's do that.

3 A Thank you.

4 (AAI Exhibit 29 marked for
5 identification and attached to the transcript.)

6 Q Mr. Dienes, I'm handing you what we've
7 marked as AAI Exhibit 29. It is, I will represent
8 to you, the first Amended Complaint that was filed
9 in this case in March of 2019. If you can please
10 turn to paragraph 28 and read that to yourself,
11 please.

12 A I've read it.

13 Q Okay. It starts off saying, "As the
14 systems integrator of ACES," and I just want to
15 focus on that portion of the phrase right now.

16 Who designated Hadron as the systems
17 integrator of ACES?

18 A That would have been a number of
19 people. Specifically, though, the decision-making
20 authority would have been Colonel Mattey.

21 Q Okay. It continues in paragraph 28,
22 "And in connection with its SBIR contracts, Hadron
23 was to deliver and install a Praxis-based six-axis
24 gestural control system, a six-display immersive
25 video environment, and a Photon-based window

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1 control system in a facility that could be easily
2 accessed by government personnel."

3 Did I read that correctly?

4 A I believe so, yes.

5 Q Okay. Under what contracts was Hadron
6 to deliver and install that Praxis and Photon
7 system that's referenced there?

8 A What I believe we are calling the
9 Wright-Patterson Phase III contract.

10 Q Is that the contract that was executed
11 at the end of July of 2014?

12 A Yes.

13 Q That would have been after ALQIMI and
14 PAR were awarded the Statement of Work under the
15 ACES-OE task order?

16 A It would have been close to it. If you
17 know it to be after, then I would certainly accept
18 that representation.

19 Q Okay. If documents would reflect that
20 the award to PAR and ALQIMI was July 21st, you
21 would agree, then, that the Phase III SBIR that
22 you're referencing here in paragraph 28 would have
23 been after?

24 A I think it would be hard to deny that
25 July 29th is after July 21st.

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1 Q What was the total value of that
2 Phase III SBIR that was awarded to Hadron at the
3 end of July 2014?

4 A Are you referring to the ceiling or the
5 initially allocated funding?

6 Q Both.

7 A I believe the ceiling was approximately
8 \$6 million. And the initial task order was
9 \$2.1 million with, I believe, 1.8 million funded.

10 Q I didn't hear the end of that.

11 A I believe with 1.8 million of that, I
12 believe, was initially funded.

13 Q I'm not a government contracts person.
14 So what's the difference between the initial task
15 order was 2.1 but with 1.8 funded?

16 A My understanding is that the government
17 can issue a contract with a negotiated set of
18 deliverables and pricing or price structure and
19 can then allocate partial funding, which is enough
20 to begin performance or complete a subset of the
21 tasks, pending follow-on funding becoming
22 available.

23 Q And that was the 1.8 piece of it?

24 A I believe so, yes.

25 Q How much did Hadron ultimately receive?

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1 Or how much was Hadron ultimately paid under the
2 Phase III SBIR?

3 A I believe the -- approximately
4 2.1 million.

5 Q And again, I'm not a government
6 contracts person. I've seen references to a firm
7 fixed-price contract or a time-and-materials
8 contract. Do you know what kind of contract the
9 Phase III SBIR was?

10 A It was cost plus fixed fee.

11 Q Can you explain that to me as a
12 layperson, what that means?

13 A Yes. It means that the government
14 reimbursement is based on the contractor's total
15 costs that can be allocated to the given project.
16 And in addition to that, a fee for performance
17 under the contract that is typically in the
18 vicinity of 5 to 6 percent that is negotiated and
19 agreed to in advance and does not vary based on
20 the total cost of the contract.

21 Q So the fixed fee portion is the 5 to
22 6 percent?

23 A That's correct.

24 Q And the cost is your costs that you
25 accrue and that you submit and that are approved

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1 A No.

2 Q Why not?

3 A I don't believe it would have been
4 effective.

5 Q Did Hadron attempt to pursue payment
6 from the government for any of its work between
7 January and July 31st of 2014?

8 A No.

9 Q Let me ask a couple more questions, and
10 then we can take a break.

11 MR. FINN: Sure.

12 MR. MACHADO: We've been going a little
13 over an hour.

14 Q Was Hadron required to submit activity
15 reports under its Phase III SBIR?

16 A Yes.

17 Q To whom?

18 A I don't recall with certainty. I would
19 predict that it would have been Brian Donnelly or
20 a representative.

21 Q What office was Mr. Donnelly in?

22 A He was part of the 711th Human
23 Performance Wing at Wright-Patterson Air Force
24 Base in Dayton, Ohio.

25 Q Did the Phase III SBIR have any

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1 connection with the A2I office?

2 A Yes.

3 Q How so?

4 A It was designed to support their
5 efforts, as well as those of the Strategic
6 Capabilities Office, and we were, what I would
7 call in the military, OPCON to the A2I office for
8 the day-to-day direction, administration of our
9 taskings.

10 Q What's OPCON mean?

11 A Operational --

12 Q I don't mean what it stands for. What
13 does it mean, practically speaking?14 A It means that we took our day-to-day
15 priorities of work from Colonel Herslow and his
16 delegates.17 Q Did the A2I provide any funding for the
18 Phase III SBIR?

19 A I believe it did.

20 Q Okay. What does OPCON stand for?

21 A Operational control.

22 Q So the Phase III SBIR may technically
23 have been issued out of Wright-Patterson, and
24 Mr. Donnelly may have technically been your
25 contracting officer, but on a day-to-day or

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1 week-to-week basis, Colonel Herslow was the one
2 that you took direction from?

3 A I would say -- I'm going to go back to
4 the beginning of your question. I would say that
5 our contract was with the United States
6 government, and specifically the contracting
7 office at Wright-Patterson Air Force Base in Ohio,
8 but that as you say, our day-to-day activities
9 were controlled by Colonel Herslow, under the
10 supervision of Brian Donnelly.

11 Q Okay. And so when you sent in those
12 activity reports, did they go -- I think I said
13 you thought they went to Mr. Donnelly. Did they
14 also go to Colonel Herslow?

15 A I believe so, yes.

16 Q How often did Hadron submit activity
17 reports under its Phase III SBIR?

18 A Don't recall.

19 Q Was it a condition of getting paid to
20 have submitted activity reports?

21 A I would predict so.

22 MR. MACHADO: Why don't we take a quick
23 break?

24 (Recess taken from 10:13 a.m. to
25 10:28 a.m.)

1 BY MR. MACHADO:

2 Q Mr. Dienes, we are back on the record
3 after a short break.

4 Before we broke, we were talking about
5 the Phase III SBIR that was executed between
6 Hadron and the government on July 31st, 2014.

7 Do you recall that, sir?

8 A Yes.

9 Q And I think we agreed that one of the
10 tasks under that Phase III SBIR, or under task
11 orders issued under that SBIR, was for Hadron to
12 deliver an ACES system.

13 Do you remember that?

14 A Say that one more time. I apologize.

15 Q Sure. We had talked -- I think we
16 agreed that one of the tasks that Hadron undertook
17 was to deliver an ACES system with Photon and
18 Praxis, correct?

19 A You say with reference to the task
20 order?

21 Q Either under the contract or under a
22 task order.

23 A Then yes.

24 Q Was that a Mezzanine system?

25 A No.

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1 Q What kind of system was it?

2 A It was a ACES operating environment.

3 Q Did it include Mezzanine, a Mezzanine
4 component?

5 A I believe so, yes.

6 Q What was the Mezzanine component?

7 A I believe it was a -- either one or two
8 complete Mezzanine systems.

9 Q Okay. So it was one or two complete
10 Mezzanine systems with additional stuff that was
11 brought to bear by Hadron or its subcontractors?

12 A Yes.

13 Q Was that paid for by the SCO?

14 A I believe so.

15 Q Are there any -- any -- strike that.

16 Did the government designate Hadron as
17 the system integrator in that Phase III SBIR?

18 A I would have to refer to the document.

19 Q If I represent to you that that term
20 does not appear in the Phase III SBIR, would that
21 surprise you?

22 A Mildly, but not overly for a prime --
23 or for an IDIQ.

24 Q Okay. And we talked before we broke
25 about -- or I think you testified before we broke

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1 project.

2 Q Okay. Have you ever seen any document
3 referring to TEG as the system integrator for
4 ACES?

5 A Have I seen -- I don't know.

6 It's -- I know I've seen documents that
7 say "solution architect," based on our previous
8 conversations.9 Q Okay. Was there a kickoff meeting
10 under the SBIR contract?

11 A I don't recall.

12 Q Did Hadron's performance under its
13 Phase III SBIR require g-speak?

14 A I believe so.

15 Q Did it require Mezzanine?

16 A I believe so.

17 Q Did it require SIFT?

18 A I don't recall.

19 Q For a layperson, how would you describe
20 Praxis?21 A I would describe it as the collection
22 of technologies that supports 3-D, often 6-axis,
23 spatial interaction between humans and computers
24 and their environment.

25 Q For a nonengineer, can you dumb it down

1 question is yes, but I think that I may be
2 misunderstanding the question, in that it already
3 supported a w and at that time.

4 Q Was the contract that Hadron received
5 in July 31st, 2014, what we're calling the
6 Phase III SBIR, was that the first Phase III that
7 Hadron had received?

8 A Yes.

9 Q **What is Photon, for the layperson?**

10 A **Photon is the collection of**
11 **technologies that supports efficient sharing of**
12 **applications and displays between any number of**
13 **people across system boundaries and potentially**
14 **disadvantaged links.**

15 Q Can you have Photon without Praxis?

16 A Yes.

17 Q Can you have Praxis without Photon?

18 A Yes.

19 Q As of early September of 2014 in the
20 AAI lab, what was required of an individual if
21 they wanted to see a demo of Photon?

22 A I believe they would have coordinated
23 with the A2I office, scheduled the demonstration,
24 and attended it.

25 Q Who would have provided a demonstration

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1 environment and that it was our job to facilitate
2 that.

3 Q Okay. And how did Hadron facilitate
4 that?

5 A By making the ACES-OE available to
6 Mr. Greenberg and by creating provisions that
7 would allow our ACES-OE to retrieve content from
8 remote web interfaces that we understood were
9 powered by the SIFT platform.

10 Q Is SIFT a web-based tool?

11 A All of our experiences with SIFT were
12 mediated through a web interface.

13 Q You said that one of the things Hadron
14 did to -- in furtherance of what it understood was
15 the government's preference was to make the
16 ACES-OE available to Walt.

17 What did you mean by that?

18 A So I'm remembering a very specific
19 demonstration, primarily based on a photograph I
20 have from it, where Walt was, I believe, wanted to
21 demo SIFT, or I should say, the government
22 probably wanted Walt to deliver -- or to demo SIFT
23 to representatives of the Army Geospatial Center.

24 I believe it was Mr. Kevin Doyle and
25 Mr. Andrew Woodward. And so we, as Hadron, were

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1 present to ensure that the ACES-OE was turned on
2 and that the network connectivity -- pardon me --
3 was functioning, and that the system was working
4 properly so that he was able to conduct that
5 demonstration.

6 Q So Hadron's involvement in this
7 particular aspect of this particular demonstration
8 was to make sure its system was turned on and
9 operational in the first instance?

10 A It's more than turned on and
11 operational, but to be in a support role to the
12 demonstration that Mr. Greenberg was conducting,
13 yes.

14 Q And then Mr. Greenberg, then, accessed
15 his SIFT program, and it utilized the Hadron
16 screen so that the audience could see how it
17 worked?

18 A I don't recall who originally started
19 up the windows. My recollection is -- well, I
20 certainly recall Mr. Clare having access to the
21 SIFT interfaces and starting them up. I believe
22 that we did, and I don't recall who would have
23 started them up for that individual demonstration.

24 Q I'm not sure I follow. I thought you
25 said you had a specific recollection about this

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1 particular demonstration and Mr. Greenberg wanting
2 to demo his SIFT.

3 A Yes.

4 Q And that Hadron made sure its ACES-OE
5 system was up and running, and then Mr. Greenberg
6 then demoed his SIFT?

7 A Yes.

8 Q Okay. Did Mr. Demo -- did

9 Mr. Greenberg demo Photon or Praxis during that
10 demonstration?

11 A He made use of the features, but that
12 was not the substance of his presentation in that
13 demonstration, no.

14 Q What do you mean he made use of the
15 features?

16 A So our system, the ACES-OE, is designed
17 to allow composition of applications and
18 presentation of applications across a large set of
19 screens in a physical space. And in the instance
20 we're discussing, Mr. Greenberg was demonstrating
21 application content provided by SIFT in that
22 space.

23 Q Okay. I want to make sure I understand
24 because, again, I'm not the technology guy in this
25 conversation.

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1 A Uh-huh.

2 Q Mr. Greenberg's demoing his SIFT, but
3 he's using the bank of monitors that Hadron has --
4 utilizes in its Photon/Praxis system?

5 A That's correct.

6 Q Is there anything else that
7 Mr. Greenberg was doing, in terms of interacting
8 with the Photon/Praxis system, beyond the bank of
9 monitors?10 A If you use the word "banks of monitors"
11 to include banks, plural, of monitors, I would say
12 I don't believe so.

13 Q Wall of monitors?

14 A I would not agree with that, only in
15 that one of the more important things of what we
16 were doing was that we supported more than one set
17 of monitors. I don't recall precisely which or
18 how many Mr. Greenberg would have used in that
19 demonstration.20 Q Okay. On how many occasions was SIFT
21 demonstrated using Hadron's banks of monitors?

22 MR. FINN: Objection.

23 A In my presence?

24 Q Again, I'm not asking you --

25 A Not many.

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1 Q -- Mr. Dienes; I'm asking Hadron.

2 A In the presence of and awareness of

3 Hadron, possibly three.

4 Q Did Hadron object at the time to its
5 use of monitors for the demonstration of the SIFT
6 technology?

7 A No.

8 Q Did Hadron ever witness Mr. Greenberg
9 demonstrating Photon or Praxis's technology?

10 A I don't recall.

11 Q Did Hadron ever witness any ALQIMI
12 employee demonstrating Photon or Praxis's
13 technology?

14 A Don't recall.

15 Q Was Hadron aware of any demonstrations
16 of its Photon or Praxis technology that were
17 performed by any ALQIMI employee, including
18 Mr. Greenberg?

19 A And here you're referring to specific
20 demonstrations?

21 Q Demonstrations in the broadest sense of
22 the word demonstrations.

23 A Then, yes.

24 Q Tell me about that.

25 A My understanding is that AAI invoiced

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1 the government for delivery of a 6-axis gestural
2 control system that included Praxis and Photon.

3 Q Beyond that invoice, is Hadron aware of
4 any demonstrations, in the broadest sense of the
5 word, of its Photon and Praxis technologies that
6 were performed or conducted by any ALQIMI
7 employee, including but not limited to
8 Mr. Greenberg?

9 A I would say that Hadron is not aware of
10 any demonstrations that I could cite with
11 specificity.

12 Q Okay.

13 A Correction. Let me amend that to I do
14 not presently recall any demonstrations that I
15 could cite with specificity.

16 Q Well, today would be the day. So...

17 A There are many, many documents in
18 discovery and a lot has happened.

19 Q Fair enough.

20 Who is Renee Lloyd?

21 A I believe she was a contracted attorney
22 on behalf of Hadron.

23 Q When you say "a contracted attorney,"
24 was she somebody that Hadron retained as an
25 attorney on legal issues?

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1 proposals, or any contracts separate and apart
2 from a task order, that related to that ACES-OE
3 award?

4 A The question is did we make any formal
5 requests for contracting documents or other
6 documents related to the award?

7 Q You inserted the word "formal." I
8 didn't mean formal requests. I meant any efforts.
9 Did they engage in any efforts to obtain copies of
10 those documents?

11 A No.

12 (AAI Exhibit 37 marked for
13 identification and attached to the transcript.)

14 Q Mr. Dienes, I'm handing you what we've
15 marked as ALQIMI Exhibit 37. Ask you to take a
16 look at that for a moment. It is a lengthy
17 document. I'm just going to have a couple quick
18 questions.

19 A Sure.

20 Q But page through it for a minute.

21 A I don't plan to read it. Since there
22 are multiple versions, I'm going to take a moment
23 to refresh my memory on which version I'm looking
24 at.

25 Q Okay. Mr. Dienes, you've had a chance

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1 to quickly flip through what we've marked as

2 ALQIMI Exhibit 37?

3 A I have.

4 Q The first page of it is an email from
5 Mr. Clare to you dated September 24th, 2014. And
6 then it references a bunch of attachments, and in
7 the body it says, "I know it's a lot. Take a
8 look." Then there's three ellipses. "I think I
9 found the ParGov award."

10 Do you see that there?

11 A I do.

12 Q Okay. So a few minutes ago we were
13 talking about when did you first see a document,
14 and I think you said, "Mr. Clare sent something to
15 me," and I think you said it was late August.16 Is this what you were referring to when
17 you talked a few minutes ago?

18 A Yes.

19 Q Okay. So prior to September 24th of
20 2014, had Hadron seen an actual copy of what
21 Mr. Clare I guess is calling the ParGov award?

22 A I don't believe so, no.

23 Q And as you flip through it -- well,
24 when Hadron received a copy of this email, did you
25 review the attachments?

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1 A To some level of detail, yes.

2 Q When Hadron received this document on
3 or about September 24th, 2014 -- strike that.4 When Hadron received this email from
5 Mr. Clare on or about September 24th of 2014, did
6 you see that included in the attachments was a --
7 what appeared to be a Statement of Work?

8 A I'm sure that I did, yes.

9 Q Okay. And did you see that, in that
10 Statement of Work that was sent to Hadron on or
11 about September 24th, 2014, it included a section
12 that you had drafted?

13 A Yes.

14 Q And then did you see that the email
15 sent to you on September 24, 2014, also included a
16 response by ParGov?

17 A Yes.

18 Q And did you see in the -- and that's
19 the document -- that's the response that starts at
20 page No. 18078?

21 A And -- 1808.

22 Q 18078.

23 A And let me restate my answer to the
24 ParGov question. I think the correct answer is I
25 don't recall.

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1 Q You don't recall if you saw that what

2 Mr. Clare sent you included the actual ParGov

3 submission?

4 A I am neither denying it nor directly
5 remembering whether or not it included the ParGov
6 submission.7 Q This was the first time Hadron was
8 seeing actual documents surrounding the contract
9 award that it first heard about on July 1st, 2014?

10 A Yes.

11 Q And sitting here today, it's your
12 testimony on behalf of Hadron that you don't have
13 a recollection of whether you actually reviewed
14 the ParGov submission that was sent to you by
15 Mr. Clare on September 24th?16 A I'm saying that I do not specifically
17 recall seeing this document in that email.18 Q Do you deny that the document was
19 attached to the email?

20 A I do not.

21 Q Okay. If the document was attached to
22 the email, would it have been logical for someone
23 from Hadron to have reviewed the document?

24 A It would have been very likely, yes.

25 Q And would that likely person have been

1 you?

2 A Yes.

3 Q You just don't have that recollection
4 sitting here today?

5 A Correct.

6 Q Is it fair that if you look -- would
7 you agree with me that, if you look at the ParGov
8 response that begins on page 18078, if you then
9 turn to page 18084.

10 A (The witness complies.)

11 Q This is the section where PAR and
12 ALQIMI are proposing how they intend to deliver an
13 ACES-OE system; is that correct?

14 A Yes.

15 Q And in this section it says that
16 they'll work with Oblong, MCT, TEG, and Cisco on
17 that task?

18 A Yes.

19 Q And that -- going to the second
20 paragraph -- that Par/ALQIMI will install and
21 validate Oblong Industries' Mezzanine infopresence
22 environment?

23 A Yes.

24 Q And that going down a little bit
25 further, it says, "Par/ALQIMI will also install

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1 and validate the Sluice environment, which
2 operates on the same platform as Mezzanine, but
3 has built-in development, data acquisition, and
4 dissemination capabilities"?

5 A Yes.

6 Q You would have seen all of that if you
7 had reviewed this document in or about
8 September 24, 2014?

9 A Yes.

10 Q You also see on page 18102 that this
11 appears to be a data rights matrix that was
12 submitted by ParGov?

13 A Yes.

14 Q And that Hadron was not one of the
15 entities that was included in this matrix?

16 A That appears to be true.

17 Q Turn to page 18077, please.

18 A (The witness complies.)

19 Q Do you see there's an email string that
20 begins on page 18077, and then you kind of have to
21 work your way backwards?

22 A Yes.

23 Q And take a minute and just skim it
24 quickly. I'm not going to ask you to read it all,
25 or if I ask you specific questions I'll direct

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1 MR. FINN: Objection.

2 A I would disagree that it specifies the
3 reason. It only states directly "that includes
4 the data rights assertions."

5 Q Okay. And then what we know is that we
6 have Colonel Herslow responding after getting that
7 email from Mr. Rodgers and saying, "I have
8 attached the updated tech eval, stating that it is
9 acceptable to the government," correct?

10 A Yes.

11 Q You can put those aside. Actually,
12 keep the Mr. Clare email in front of you, please,
13 ALQIMI Exhibit 37.

14 A Will do.

15 Q When Hadron reviewed the documents
16 attached to Mr. Clare's email, did it at that
17 point conclude that ALQIMI had made any
18 misrepresentations in its proposal to the
19 government?

20 A Conclude is a very specific term. We
21 certainly became gravely concerned that in some
22 way the government had been misled.

23 Q What was the grave concern that Hadron
24 had once it reviewed the attachments to
25 Mr. Clare's email?

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1 Q At this point Hadron was already
2 performing under the Phase III SBIR which had been
3 awarded on July 31st?

4 A Yes.

5 Q What was contemplated by the ACES-TS
6 contract?

7 A My recollection is that it was for a
8 package of four full or near-to-full-time support
9 personnel, two of whom were to be primarily
10 technical in nature and two of whom were to be
11 primarily, I want to say administrative, but
12 non-technical in nature.

13 Q And what were the four personnel to do?

14 A They were to support the deployment of
15 and development of ACES systems.

16 Q ACES systems installed by whom?

17 A Installed by Hadron.

18 Q What about any ACES systems installed
19 by somebody other than Hadron?

20 A I would not have contemplated the
21 existence of such a thing, given the nature of our
22 relationships with the government.

23 Q Did the scope of the contract
24 contemplate supporting the installation of Hadron
25 systems -- strike that.

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1 Q Did Hadron ever assert to Colonel

2 Herslow that ALQIMI had obtained the contract

3 through fraud?

4 A Not that I can recall.

5 Q Would you agree with the statement that

6 "Hadron and AAI worked alongside one another in

7 the lab" -- and "the lab," I mean the ALQIMI lab

8 -- "on a daily basis from August through

9 December 2014"?

10 MR. FINN: Objection.

11 A I could either agree or disagree with
12 that.

13 You said "on a daily basis"?

14 Q Yes.

15 A Then, no, I would disagree with that.

16 Q And just to be clear, I didn't say you,
17 I said Hadron and ALQIMI worked alongside one
18 another.

19 A I would disagree with that.

20 Q Would you agree that demonstrations
21 performed in the, what I'll call "the ALQIMI lab,"
22 necessitated on-site conversations between Hadron
23 and ALQIMI staff?

24 A You asked if I would agree with that?

25 Q (Nonverbal response.)

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1 Q What was AAI's role during the Snake
2 Clark demonstration?

3 A I don't recall.

4 Q I've just identified five
5 demonstrations that occurred between, say,
6 August 1st and through the end of October. Do you
7 recall, as you sit here today, other
8 demonstrations that occurred in the AAI lab that
9 occurred during that time frame?

10 A Occurred during that time frame? I
11 recall a multitude of demonstrations. I would not
12 want to try to enumerate them without reference to
13 primary documents.

14 Q If I take the time frame from
15 October 1st to late December when Hadron left the
16 lab, do you have any more specificity about
17 demonstrations that occurred beyond the five that
18 I've just talked to you about?

19 A No.

20 Q One of Hadron's allegations in this
21 case is that AAI improperly demonstrated Hadron's
22 goods, services, or commercial activities.

23 Do you have that understanding?

24 A I do.

25 Q When did AAI demonstrate Hadron's

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1 goods, services, or commercial activities?

2 A I don't believe I know the specific
3 times and places.

4 Q My understanding is that sometime in
5 June of 2016 you were notified that your arrest
6 was being sought?

7 A Yes.

8 MR. FINN: Les, can we take an
9 after-lunch break?

10 MR. MACHADO: A break?

11 MR. FINN: Before you go into another
12 subject?

13 MR. MACHADO: This is the last one, I
14 think. So the end is near.

15 (Recess taken from 3:03 p.m. to
16 3:19 p.m.)

17 BY MR. MACHADO:

18 Q Mr. Dienes, we are back on the record
19 after a short break. I think where we left off I
20 was asking you about you being arrested in June of
21 2016.

22 It's my understanding that you were
23 notified that there was a warrant for your arrest?

24 A Yes.

25 Q And you then spoke with an FBI agent?